

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY RAPP, et ano.,

Plaintiffs,

-against-

20-cv-9586 (LAK)

KEVIN SPACEY FOWLER,

Defendant.  
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**ORDER ON OBJECTIONS TO PLAINTIFF'S  
DEPOSITION DESIGNATIONS AND  
DEFENDANT'S CROSS DESIGNATIONS**

LEWIS A. KAPLAN, *District Judge.*

The following are the Court's evidentiary rulings on defendant's objections to plaintiff's deposition designations and on plaintiff's objections to defendant's cross designations. Any other questions concerning the use of the deposition designations at trial are reserved. To the extent that the parties wish to use video recordings of deposition testimony at trial, they shall prepare edited versions that are limited to the designations as to which no objections have been sustained.

*Plaintiff's Witness Justin Dawes*

*December 28, 2021 Session*

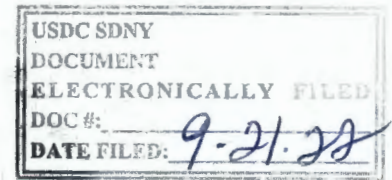
Objections to the following portions of plaintiff's designations (keyed to transcript pages and line numbers of the transcript) are sustained:

Page:Line Start

6:15  
8:22  
12:18  
17:11  
24:11  
26:11  
27:21  
27:24  
28:11  
33:12  
50:24  
54:4  
54:19  
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Page:Line End

6:19  
9:16  
16:15  
17:22  
25:22  
26:16  
27:22  
28:5  
28:24  
33:23  
50:25  
54:16  
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101:2	101:11
110:2	101:4
112:22	112:23
112:25	113:15
113:22	113:23
113:25	125:20
125:25	126:3
126:20	128:5
131:16	131:18
131:20	131:25
183:16	183:24
184:2	184:22
186:19	186:21
186:24	186:25
187:24	188:3

In addition, the objections to all of plaintiff's designations on pages 30, 32, 34 through 45, 49, 51, 100, 132 through 172, 187, and 189 through 192 are sustained. All other objections to plaintiff's designations from the December 28, 2021 deposition are overruled.

The objections to defendant's counterdesignations of material on pages 48, 74, 82, 134, 145 and 176 are sustained. The others are overruled.

*February 10, 2022 Session*

The objections to plaintiff's designations on the following pages (and, where relevant, lines) of the February 10, 2022 transcript are sustained: 10, 18-19:8, 21:5-10, 29-32:16, 45 through 47, 57:7-11, 60-61, 71 through 78:22, and 81:8 through 96. The parties are invited to submit brief letters concerning the admissibility of the testimony at page 78 line 24 through 81 line 8, as to which the Court reserves decision.

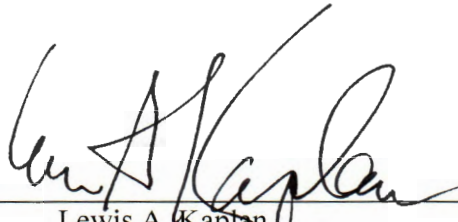
The plaintiff's objections to the defendant's counterdesignations are sustained as moot insofar as they were designated to respond to designations by the plaintiff that have been excluded.

*Plaintiff's Witness Sean Snow*

Defendant's objections to plaintiff's designations all are sustained as to Sean Snow. Defendant's counterdesignations in response to designations by plaintiff to which objections have been sustained are moot. Plaintiff's objections to defendant's other counterdesignations all are sustained.

SO ORDERED.

Dated: September 21, 2022

  
 Lewis A. Kaplan  
 United States District Judge